

**DEPARTMENT OF STATE REVENUE**

**LETTER OF FINDINGS NUMBER: 99-0563P**

Income Tax Penalty  
Calendar Year 1997

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**ISSUE(S)**

I. **Tax Administration** – Penalty

**Authority:** IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

Taxpayer protests the penalty assessed.

**STATEMENT OF FACTS**

Taxpayer, in a letter dated October 14, 1999 protested the late penalty assessed for 1997.

I. **Tax Administration** -Penalty

**DISCUSSION**

Taxpayer was assessed a negligence penalty for failure to timely file its IT-20 return for 1997. Taxpayer states it had filed its first tax return with the State of Indiana during the month of September 1998. No extension was produced due to its reliance on information provided by FD, their partner, and the multistate apportionment schedule was finalised at the end of August 1998 by FD's personnel. Taxpayer states that no financial information was made available to them by March 15, 1998. Taxpayer further states it has to rely on information provided by FD.

Taxpayer was several months late in filing its return and failed to request an extension of time to file. It is a taxpayer's responsibility to request an extension when financial information is not available.

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PAGE #2

The department finds that a negligence penalty is proper.

**FINDING**

Taxpayer's protest is denied.

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